

## PATENT COOPERATION TREATY

PCT/JP2004/008604



## PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 904195	<b>FOR FURTHER ACTION</b> See Form PCT/IPEA/416	
International application No. PCT/JP2004/008604	International filing date ( <i>day/month/year</i> ) 18 June 2004 (18.06.2004)	Priority date ( <i>day/month/year</i> ) 30 June 2003 (30.06.2003)
International Patent Classification (IPC) or national classification and IPC H01S 5/022		
Applicant <b>SHARP KABUSHIKI KAISHA</b>		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 3 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a.  (*sent to the applicant and to the International Bureau*) a total of 2 sheets, as follows:

sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b.  (*sent to the International Bureau only*) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand 01 December 2004 (01.12.2004)	Date of completion of this report 28 March 2005 (28.03.2005)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/008604

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:
- international search (under Rules 12.3 and 23.1(b))
  - publication of the international application (under Rule 12.4)
  - international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed"* and are not annexed to this report):

- The international application as originally filed/furnished

- the description:

pages \_\_\_\_\_ 1-16 \_\_\_\_\_, as originally filed/furnished  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- the claims:

pages \_\_\_\_\_ 2-7 \_\_\_\_\_, as originally filed/furnished  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_, as amended (together with any statement) under Article 19  
 pages\* \_\_\_\_\_ 1 \_\_\_\_\_ received by this Authority on \_\_\_\_\_ 01 December 2005 (01.12.2005)  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- the drawings:

pages \_\_\_\_\_ 1-2 \_\_\_\_\_, as originally filed/furnished  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_  
 pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

- a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3.  The amendments have resulted in the cancellation of:

- the description, pages \_\_\_\_\_
- the claims, Nos. \_\_\_\_\_
- the drawings, sheets/figs \_\_\_\_\_
- the sequence listing (*specify*): \_\_\_\_\_
- any table(s) related to sequence listing (*specify*): \_\_\_\_\_

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages \_\_\_\_\_
- the claims, Nos. \_\_\_\_\_
- the drawings, sheets/figs \_\_\_\_\_
- the sequence listing (*specify*): \_\_\_\_\_
- any table(s) related to sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP2004/008604

**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

**1. Statement**

Novelty (N)	Claims	1-7	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	1-7	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO

**2. Citations and explanations (Rule 70.7)**

- Document 1: JP, 2003-101113, A (Sharp Corp.) 04 April, 2003, Full text, all drawings & US, 2003/67950, A1
- Document 2: JP, 2002-134822, A (Sharp Corp.) 10 May, 2002, Full text, all drawings
- Document 3: JP, 2001-94215, A (Sanyo Electric Co., Ltd.) 06 April, 2001, Par. Nos. 0007-0015, Fig.11
- Document 4: JP, 2001-274140, A (Matsushita Electric Industrial Co., Ltd.) 05 October, 2001, Par. Nos. 0029-0033, Fig. 3
- Document 5: JP, 2002-261326, A (President of Nagoya Institute of Technology) 13 September, 2002, Par. No. 0012-0016

Document 1 describes a semiconductor light-emitting device comprising a light emitting chip, submount and stem.

Document 2 describes an electrode structure for an n-type nitride semiconductor conductive substrate.

Document 3 describes an AlN submount.

Documents 4 and 5 describe preprocessing of an ohmic electrode formation.

Claims 1, 3 through 6: Documents 1 and 2

Document 1 (paragraph 0038) describes that "a material with a high thermo conduction rate has favorable radiant properties so is preferable"; therefore, this examination finds that there is no difficulty in forming a submount with materials having a higher heat conductivity rate than materials for forming a conductive substrate.

Claim 2: Documents 1 and 3

AlN as a submount material is common knowledge.

Claim 7: Documents 1, 4 and 5

Preprocessing to achieve a favorable condition of the electrode formation surface prior to ohmic electrode formation is common technical knowledge.